

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHESTER DAVIS,

Plaintiff,

-v-

COUNTRYWIDE HOME LOANS, *et al.*,

Defendants.

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DATE FILED: 8/20/10

No. 09 Civ. 8606 (RJS) (HBP)


ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of a letter from Plaintiff, dated August 10, 2010 but received in chambers on August 17, 2010, requesting that the Court compel certain discovery from Defendants or, in the alternative, dissolve Plaintiff's mortgage and order that Defendants return \$20,950.82 to him. On August 13, 2010, the Court granted Defendants motion to dismiss the complaint, pursuant to Rule 12(b)(6), after adopting the Report and Recommendation (the "Report") of the Honorable Henry B. Pitman, Magistrate Judge. (Doc. No. 16.) As explained in the Court's August 13, 2010 Order, Plaintiff failed to file timely objections to the Report. Even if the Court set aside the fact that Plaintiff's August 10, 2010 letter was written and received after the period for objections closed on August 9, 2010, Plaintiff's letter cannot be construed as consisting of objections to the Report. Nowhere in the letter does Plaintiff even mention the Report. Accordingly, the Court's August 13, 2010 Order adopting the Report remains in effect; Plaintiff's August 10 request is DENIED as moot; and this case remains closed.

SO ORDERED.

Dated: August 19, 2010
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE